



AF
GP2837

#23/Appeal
Per my
Ask
10/10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Robert N. Falco)
SERIAL NUMBER: 09/226,467) Group Art Unit
FILED: January 1, 1999) 2837
FOR: DETECTABLE EARPLUG AND METHOD) Examiner:
OF MANUFACTURE THEREOF) K. Dang

RECEIVED
OCT - 4 2001
TC 2800 MAIL ROOM

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF NON-COMPLIANCE WITH 37 CFR 1.192(C)

Sir:

Responsive to the Notice of Non-Compliance with 37 CFR 1.192(c) dated August 28, 2001, the following appeal brief is submitted in triplicate. The Applicants have amended the Summary to incorporate reference numerals and citations to portions of the specification. The Applicants have similarly amended the Grouping of Claims section to particularly identify those claims for which independent arguments for patentability are presented in the Arguments section.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 9/28/01

(Date of Deposit)
H.M. (Be)ing
(Typed or printed name of person mailing paper or fee)
H.M. R... 9/28/01
Signature Date

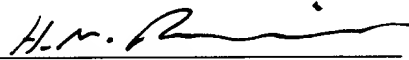
Applicants previously submitted the appropriate fee for filing the appeal brief filed July 20, 2001. However, should any fees be required, or should an extension of time be required, the Applicant hereby authorizes fees to be charged to Deposit Account No. 06-1130, maintained by the Applicant's attorneys.

It is believed that the foregoing remarks fully comply with the Office Action.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's Attorneys.

Respectfully submitted,
ROBERT N. FALCO

CANTOR COLBURN, LLP
Applicant's Attorneys

By: 
H.M. Bedingfield
Registration No. 44,530
Customer No. 23413

Date: September 28, 2001
Address: 55 Griffin Road South, Bloomfield, Connecticut 06002
Telephone: (860) 286-2929